IN THE CLAIMS

Please amend the claims as follows:

1.   (Previously Presented) A system including:

      i.   a processor coupled to a memory through a bus;

      ii.   an auction price-setting process executed from the memory by the processor to
cause the processor to automatically publish at least one of a proxy bid
information and a reserve price when a high proxy bid is less than the reserve
price, the proxy bid information and the reserve price being associated with a
listing for an item during an auction price-setting process; and

      iii.   an auction price-setting process executed from the memory by the processor to
cause the processor to keep the proxy bid information and the reserve price
confidential when the high proxy bid is more than the reserve price.

2.   (Previously Presented) The system of claim 1, wherein the auction price-setting process
further causes the processor to automatically retract publication of the proxy bid information
upon the high proxy bid exceeding the reserve price.

3.   (Previously Presented) The system of claim 1, wherein the auction price-setting process
further causes the processor to request an adjustment of a fixed price offer associated with a
listing for an item utilizing the auction price-setting process, the request to be sent to a seller of
the listing.

4.   (Previously Presented) The system of claim 1, wherein the publication is performed
during the auction price-setting process.

5.   (Previously Presented) The system of claim 1, wherein the publication is performed after
the auction price-setting process.

6.   (Previously Presented) The system of claim 1, wherein the auction price-setting process further causes the processor to automatically notify a buyer when the reserve price is published.

7.   (Previously Presented) The system of claim 1, wherein the publication includes publishing for view by a specific bidder only.

8.   (Previously Presented) A system including:

      i.   a processor coupled to a memory through a bus;

      ii.   an auction price-setting process executed from the memory by the processor to cause the processor to exchange of at least one of a proxy bid information of a buyer and reserve price information of a seller when a high proxy bid is less than the reserve price, the at least one of the proxy bid information and the reserve price information being associated with a listing utilizing the auction price-setting process; and

      ii.   an auction price-setting process executed from the memory by the processor to prevent the processor from exchanging proxy bid information and the reserve price when the high proxy bid is more than the reserve price.

9.   (Previously Presented) The system of claim 8, wherein the at least one of the proxy bid information and the reserve price information are automatically exchanged upon conclusion of the auction price-setting process.

10.   (Previously Presented) The system of claim 8, wherein the at least one of the proxy bid information and the reserve price information are automatically exchanged during the auction price-setting process.

11.   (Previously Presented) The system of claim 8, wherein the auction price-setting process further causes the processor to automatically invite at least one of the seller and the buyer to exchange the at least one of the proxy bid and the reserve price information.

12.   (Previously Presented) The system of claim 11, wherein at least one of the buyer and the seller is automatically invited to exchange the at least one of the proxy bid and the reserve price information when a proxy bid associated with the seller and the reserve price are within a predetermined proximity of each other.

13.   (Previously Presented) The system of claim 12, wherein the predetermined proximity is within twenty percent of each other.

14.   (Previously Presented) The system of claim 8, wherein the exchange of information is a secured exchange of information.

15.   (Previously Presented) The system of claim 11, wherein the invitation is indicated in the listing.

16.   (Previously Presented) The system of claim 11, wherein the invitation is indicated in the listing before the auction price-setting process.

17.   (Previously Presented) The system of claim 11, wherein the invitation is indicated in the listing after the auction price-setting process.

18.   (Previously Presented) The system of claim 8, wherein the exchange is performed by automatically publishing at least one of the at least one of the proxy bid information and the reserve price information.

19.   (Previously Presented) The system of claim 8, wherein the auction price-setting process further causes the processor to make a request for an adjustment of a fixed price offer associated with a listing for an item utilizing the auction price-setting process, the request to be sent to a seller of the listing.

20.   (Previously Presented) The system of claim 8, wherein the auction price-setting process further causes the processor to notify automatically the buyer when the reserve price has been published.

21.-25 (Canceled)

26.   (Previously Presented) A system including:

    i.   a means for automatically publishing at least one of a proxy bid information and a reserve price when a high proxy bid is less than the reserve price, the proxy bid information and the reserve price being associated with a listing for an item in an auction price-setting process;

    ii.   means for automatically causing proxy bid information and the reserve price be kept confidential when the high proxy bid is more than the reserve price; and

    iii.   a storage means, coupled to the means for automatically publishing, for storing the proxy bid information and the reserve price.

27.   (Previously Presented) The system of claim 26, further including:

    i.   a means for automatically retracting publication of the at least one of the proxy bid information upon the high proxy bid exceeding the reserve price, the means for retracting coupled to the storage means.

28.   (Previously Presented) The system of claim 26, further including:

    i.   a means for making a request for an adjustment of a fixed price offer associated with a listing for an item utilizing the auction price-setting process, the request to be sent to a seller of the listing, the means for making the request coupled to the storage means.

29.   (Previously Presented) A system comprising:

    i.   a means for exchanging of proxy information of a buyer and reserve price information of a seller, the proxy information and the reserve price information

           being associated with a listing of an item utilizing an auction price-setting process; and

    ii.   a storage means, coupled to the means for exchanging, for storing the proxy information.

30.   (Previously Presented) The system of claim 29, wherein the proxy information and the reserve price information are automatically exchanged upon conclusion of the auction price-setting process.

31.   (Previously Presented) The system of claim 29, wherein the proxy information and the reserve price information are automatically exchanged during the auction price-setting process.

32.-33. (Canceled)

34.   (Previously Presented) A machine-readable medium having instructions to cause a machine to perform a method including:

    i.   automatically publishing at least one of a proxy bid information and a reserve price when a high proxy bid is less than the reserve price, the proxy bid information and the reserve price being associated with a listing for an item during an auction price-setting process;and

    ii.   keeping proxy bid information and the reserve price confidential when the high proxy bid is more than the reserve price.

35.   (Original) The machine-readable medium of claim 34, further including:

    i.   automatically retracting publication of the proxy bid information upon the high proxy bid exceeding the reserve price.

36.   (Previously Presented) The machine-readable medium of claim 34, further including:

      i.   making a request for an adjustment of a fixed price offer associated with a listing for an item utilizing the auction price-setting process, the request to be sent to a seller of the listing.

37.   (Original) The machine-readable medium of claim 34, wherein the publication is performed during the auction price-setting process.

38.   (Original) The machine-readable medium of claim 34, wherein the publication is performed after the auction price-setting process.

39.   (Original) The machine-readable medium of claim 34, further including:

      i.   automatically notifying a buyer when the reserve price is published.

40.   (Original) The machine-readable medium of claim 34, wherein the publishing includes publishing for view by a specific bidder only.

41.   (Previously Presented) A machine-readable medium having instructions to cause a machine to perform a method of facilitating a network-based auction price-setting process, the method including

      i.   exchanging of proxy information of a buyer and reserve price information of a seller, the proxy information and the reserve price information being associated with a listing utilizing the auction price-setting process.

42.   (Original) The machine-readable medium of claim 41, wherein the proxy information and the reserve price information are automatically exchanged upon conclusion of the auction price-setting process.

43.   (Original) The machine-readable medium of claim 41, wherein the proxy information and the reserve price information are automatically exchanged during the auction price-setting process.

44.   (Original) The machine-readable medium of claim 41, further comprising:

  i. automatically inviting at least one of the seller and the buyer to exchange the
    proxy and the reserve price information.

45.   (Original) The machine-readable medium of claim 44, wherein at least one of the buyer
and the seller is automatically invited to exchange the proxy and the reserve price information
when a proxy bid associated with the seller and the reserve price are within a predetermined
proximity of each other.

46.   (Original) The machine-readable medium of claim 45, wherein the predetermined
proximity is within twenty percent of each other.

47.   (Original) The machine-readable medium of claim 41, wherein the exchange of
information is a secured exchange of information.

48.   (Original) The machine-readable medium of claim 44, wherein the invitation is indicated
in the listing.

49.   (Original) The machine-readable medium of claim 44, wherein the invitation is indicated
in the listing before the auction price-setting process.

50.   (Original) The machine-readable medium of claim 44, wherein the invitation is indicated
in the listing after the auction price-setting process.

51.   (Original) The machine-readable medium of claim 41, wherein the exchange is
performed by automatically publishing at least one of the proxy information and the reserve price
information.

52. (Previously Presented) The machine-readable medium of claim 41, further including:

   i.   making a request for an adjustment of a fixed price offer associated with a listing
         for an item utilizing the auction price-setting process, the request to be sent to a
         seller of the listing.

53. (Original) The machine-readable medium of claim 41, further including:

   i.   notifying automatically the buyer when the reserve price has been published.

54.-58. (Canceled)

59. (Previously Presented) A method including:

   i.   automatically publishing at least one of a proxy bid information and a reserve
         price when a high proxy bid is less than the reserve price, the proxy bid
         information and the reserve price being associated with a listing for an auction
         price-setting process; and

   ii.   keeping proxy bid information and the reserve price confidential when the high
         proxy bid is more than the reserve price.

60. (Original) The method of claim 59, further including:

   i.   automatically retracting publication of the proxy bid information upon the high
         proxy bid exceeding the reserve price.

61. (Previously Presented) The method of claim 59, further including:

   i.   making a request for an adjustment of a fixed price offer associated with a listing
         for an item utilizing the auction price-setting process, the request to be sent to a
         seller of the listing.

62. (Original) The method of claim 59, wherein the publication is performed during the
auction price-setting process.

63.   (Original) The method of claim 59, wherein the publication is performed after the auction
price-setting process.

64.   (Original) The method of claim 59, further including:

    i.   automatically notifying a buyer when the reserve price is published.

65.   (Original) The method of claim 59, wherein the publishing includes publishing for view
by a specific buyer only.

66.   (Currently Amended) A method including:

    i.   exchanging of proxy information of a buyer and reserve price information of a
        seller, the proxy information and the reserve price information being associated
        with a listing utilizing an auction price-setting process.

67.   (Original) The method of claim 66, wherein the proxy information and the reserve price
information are automatically exchanged upon conclusion of the auction price-setting process.

68.   (Original) The method of claim 66, wherein the proxy information and the reserve price
information are automatically exchanged during the auction price-setting process.

69.   (Original) The method of claim 66, further comprising:

    i.   automatically inviting at least one of the seller and the buyer to exchange the
        proxy and the reserve price information.

70.   (Original) The method of claim 69, wherein at least one of the buyer and the seller is
automatically invited to exchange the proxy and the reserve price information when a proxy bid
associated with the seller and the reserve price are within a predetermined proximity of each
other.

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111   Page 11
Serial Number: 10/749,614   Dkt: 2043.033US2
Filing Date: December 30, 2003
Title: METHOD AND SYSTEM TO PUBLISH A SELLER FIXED PRICE OFFER

71.   (Original) The method of claim 70, wherein the predetermined proximity is within twenty percent of each other.

72.   (Original) The method of claim 66, wherein the exchange of information is a secured exchange of information.

73.   (Original) The method of claim 69, wherein the invitation is indicated in the listing.

74.   (Original) The method of claim 69, wherein the invitation is indicated in the listing before the auction price-setting process.

75.   (Original) The method of claim 69, wherein the invitation is indicated in the listing after the auction price-setting process.

76.   (Original) The method of claim 66, wherein the exchange is performed by automatically publishing at least one of the proxy information and the reserve price information.

77.   (Previously Presented) The method of claim 66, further including:
         i.   making a request for an adjustment of a fixed price offer associated with a listing for an item utilizing the auction price-setting process, the request to be sent to a seller of the listing.

78.   (Original) The method of claim 66, further including:
         i.   notifying automatically the buyer when the reserve price has been published.

79.-83. (Canceled)